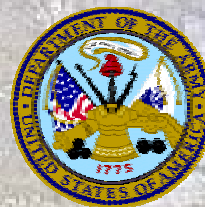


Central Region Review



U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ OCTOBER 2003 ★

★ REGIONS 6 & 7 ★

The *CENTRAL REGION REVIEW* provides current information on significant federal and state legislative and regulatory developments in Federal Regions 6 and 7. The *REVIEW* is prepared by Versar, Inc., in support of the Central Regional Environmental Office, to assist you in your compliance efforts. Current and past issues of this *REVIEW*, as well as regional updates and alerts, are available on the Internet at <http://aec.army.mil/usaec/reo/creo00.html>. Please phone (816) 983-3444 if you have any questions or suggestions, or if you would like to subscribe to the *REVIEW*.

CONTENTS

General Information	1
Assistance Information	1
Regional Meetings	2
Training Courses and Workshops	2
Conferences and Symposiums	5
Federal Actions	7
Region 6 State Activity – Arkansas	10
Region 6 State Activity – Louisiana	11
Region 6 State Activity – New Mexico	11
Region 6 State Activity – Oklahoma	12
Region 6 State Activity – Texas	12
Region 7 State Activity – Iowa	13
Region 7 State Activity – Kansas	15
Region 7 State Activity – Missouri	16
Region 7 State Activity – Nebraska	17
Acronyms and Abbreviations	17

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GENERAL INFORMATION

There is no general information to report this month.

ASSISTANCE INFORMATION

National Database on Environmental Management Systems. A wealth of information on research conducted on companies that implemented EMSs is available from an online database – the National Database on Environmental Management Systems (NDEMS) that was funded by the EPA. The study involved 83 facilities, including federal facilities. The database is at <http://ndems.cas.unc.edu>.

Indoor Air Quality DESIGN Tools for Schools. The EPA has launched this new web-based resource containing recommendations and tools to help communities and design professionals integrate good indoor air quality practices into the design, construction, renovation, and operation and maintenance of K-12 school facilities. For further information, please visit <http://www.epa.gov/iaq/schooldesign>; or contact Bob Axelrad at (202) 564-9315 or axelrad.bob@epa.gov.

REGIONAL MEETINGS

Region 7 Pollution Prevention Fall 2003 Roundtable Meeting. This meeting is scheduled for **6-8 October 2003** in **Kansas City, Kansas**. For further information, please contact the Region 7 REC at (816) 983-3445.

[\[Top\]](#)

TRAINING COURSES AND WORKSHOPS

USACE PROSPECT Training. This program provides job-related training through technical, professional, managerial and leadership courses to meet the unique needs of the USACE and other government agencies. The courses are open to all federal agencies. The current fiscal year schedule of classes is available at <http://pdsc.usace.army.mil/courseschedule.asp>.

EPA Environmental Response Training Program. The latest information on all training offered through this program is available at <http://www.ertresponse.com/Training/index.htm> (including specific locations of the training). For further information, please contact Patricia Maxwell, EPA, at Maxwell.Patricia@epamail.epa.gov.

OSHA 10-Hour General Industry Voluntary Compliance Course. This course will provide participants with an intensive review of current topics in the area of occupational safety and health compliance. The course gives a broad overview of the most significant OSHA topics. The course is scheduled for **7-8 October 2003** in **St. Louis, Missouri**. For further information, please contact the Missouri Chamber of Commerce & Industry at (573) 634-3511 or phubbs@mochamber.org, or visit their web site at <http://www.mochamber.org>.

An Organizational Guide to Pollution Prevention Workshop. The EPA is hosting this workshop to help organizations get P2 programs started or to reevaluate existing P2 programs. The guide presents an alternative method for working P2 projects and plans, and four approaches to implementing P2 and environmental planning within an organization. The course is scheduled for **7-9 October 2003** in **Boston, Massachusetts**, **4-6 November 2003** in **Dallas, Texas**, and **9-11 December 2003** in **Philadelphia, Pennsylvania**. For further information, please visit <http://www.epa.gov/ttnrmrl/p2workshop.htm>.

OSHA 30-Hour General Industry Voluntary Compliance Course. This course is designed to give participants an in-depth understanding of current occupational safety and health compliance topics. The course is ideal for the safety professional who wants a better understanding of the OSHA laws governing business. The course is scheduled for **7-10 October 2003** in **St. Louis, Missouri**. For further information, please contact the Missouri Chamber of Commerce & Industry at (573) 634-3511 or phubbs@mochamber.org, or visit their web site at <http://www.mochamber.org>.

Cleanup Site Closure: Integrating Regulatory and Administrative Activities. The Resource Training Institute is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. The course is scheduled for the following dates:

- **8-9 October 2003** in **Las Vegas, Nevada**
- **2-3 December 2003** in **Richland, Washington**
- **17-18 February 2004** in **Idaho Falls, Idaho**.

For more information, please visit <http://www.rtii.org> and call (803) 652-8830.

DoD Combined Services Solid Waste and Recycling Workshop. Scheduled for **14-16 October 2003** in **St. Louis, Missouri**, this workshop is being held in conjunction with SWANA at their annual exhibition, WASTECON 2003, to provide opportunities to benchmark and share best practices. For further information, please visit https://www.denix.osd.mil/denix/Public/Announce/workshop_public.html, or call (410) 436-1224.

Radioactive Waste Management Training. The Resource Training Institute is offering this course for personnel responsible for or directly involved in the implementation of DOE O 435.1, Radioactive Waste Management. The course provides detailed instruction on the requirements of the revised Order, Manual, and Implementation Guide; outlines key changes; introduces compliance strategies; and provides opportunities for participants to apply the key requirements through student exercises. The course consists of the following five modules: (1) Introduction, Overview and Goals, (2) Low-Level Waste, (3) Low-Level Waste Disposal, (4) Transuranic Waste, and (5) High-Level Waste. The course is scheduled for **14-16 October 2003 in Oak Ridge, Tennessee**. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

CERCLA Orientation and Remedial Investigation/Feasibility Study. The Resource Training Institute is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the RI/FS process as it applies to environmental restoration programs. Following an overview of the CERCLA process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. The course is scheduled for **14-16 October 2003 in Richland, Washington and 18-19 November 2003 at the Savannah River Site in South Carolina**. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

Waste Characterization. The Resource Training Institute is offering this course on **21-22 October 2003 in Oak Ridge Tennessee and 2-3 December 2003 in Orlando, Florida**. This course was developed to provide training to DOE personnel on the regulations and specific details of fully characterization waste generated in DOE facilities. The course includes a review of terminology and regulations pertaining to waste characterization. Considerable focus is given to hazardous waste identification, identifying PCBs, and to characterization of waste containing radionuclides. The course also includes a review of waste packaging requirements. Participants will complete practical exercises which target the course objective of characterizing waste given information on the waste and local procedures. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

Environmental Laws and Regulations. The Resource Training Institute is offering this course on **21-23 October 2003 in Albuquerque, New Mexico and 9-11 December 2003 in Washington, D.C.** The course focuses on the environmental laws and regulations as they apply to DOE environmental management programs. Using examples from DOE sites, the course addresses challenges such as high level waste storage in tanks and treatment for disposal; transuranic waste characterization and disposal; low-level waste disposal; mixed low-level waste treatment, storage, and disposal; environmental compliance associated with operational facilities or restart issues; the repository program; decommissioning activities; and materials transportation. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

Applied Clean Air Act. The Resource Training Institute is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act. The course provides detailed information on all facets of the CAA and the 1990 Amendments. It also covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. The course is scheduled for **21-23 October 2003 in Las Vegas, Nevada, and 16-18 December 2003 in Orlando, Florida**. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

Management of Polychlorinated Biphenyls. The Resource Training Institute is offering this course on **21-23 October 2003 in Washington, D.C., and 16-18 March 2004 in Oak Ridge, Tennessee**. The course provides an overview of the PCB regulations with an emphasis on PCB disposal. Participants will learn shortcuts, such as Assumption Rules for PCB concentrations, as well as the requirements, as amended, for inspecting, marking, storing, and record keeping of PCBs and PCB items. Participants will also learn about the new disposal provisions for PCB redemption waste, PCB bulk product waste, PCB/radioactive waste, and wastes from research and development activities. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

American Indian Cultural Communications Course. This course is designed to help staff at DoD facilities understand the DoD American Indian/Alaska Native Policy and how to implement it at their sites. The course is taught primarily by American Indian trainers, with some segments presented by DoD and regional American Indian participants. The following topics are covered in the course: (1) history of American Indian laws and the legal base for DoD policy, (2) federal laws and policies impacting DoD relationships with American Indians, (3) introduction to tribal concepts and culture, (4) cross-cultural communication, and (5) strategies for consulting with tribes. The course is scheduled for **21-23 October 2003 in Buffalo, New York**. For more information, please visit <https://www.denix.osd.mil/denix/Public/Native/trainingcourse.html>, or call (678) 357-6513

Environmental Laws and Regulations. The Resource Training Institute is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. The course is scheduled for **21-23 October 2003** in **Albuquerque, New Mexico**, and **18-20 December 2003** in **Richland, Washington**. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

UXO Basic Training Course. The Interstate Technology and Regulatory Council is co-sponsoring this course with the EPA and TCEQ. This is an entry-level course designed to provide an overview of key environmental issues associated with ordnance and explosives cleanup. Participants will be introduced to basic terminology, munitions identification, safety concerns, regulatory requirements, conventional and innovative technology, site investigation, and site remediation. The course is scheduled for **28-29 October 2003** in **Austin, Texas**. For more information, please visit <http://www.itrcweb.org> or contact Eileen O'Toole at (540) 557-6007.

EPA ERTF Preliminary Assessment/Site Investigation Training. This training is scheduled for **28-31 October 2003** in **Kansas City, Kansas**. For further information, please visit <http://www.trainex.org>, or contact Patricia Maxwell, EPA, at (913) 551-7365 or Maxwell.Patricia@epamail.epa.gov.

WasteCap Business R & R Event: Reduction and Recycling. WasteCap of Lincoln, Nebraska is hosting a training and vendor show identifying resources and environmental service providers for money-saving waste reduction and recycling techniques. The event will assist businesses in Lincoln, the State of Nebraska, and the region in locating resources and environmental service providers to improve profit margins, maintain longstanding regulatory compliance, and become better environmental stewards through improved environmental practices. The event is scheduled for **4 November 2003** in **Lincoln, Nebraska**. For further information, please visit <http://www.wastecaplink.org> or call (402) 436-2383.

Historic Preservation Law and Section 106 Compliance Course. This course emphasizes legal compliance through the use of actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes the stewardship role, use of historic properties, and communications with related oversight agencies. This is an ISEERB-approved course. The course is scheduled for the following dates:

- **4-6 November 2003** in **Portsmouth, New Hampshire**
- **24-26 February 2004** in **Jacksonville, Florida**
- **20-22 April 2004** in **San Antonio, Texas**
- **20-22 July 2004** in **Annapolis, Maryland**.

For further information, please visit <https://www.cecos.navy.mil>.

Mixed Waste Short Course. The Resource Training Institute is offering this course on **11 November 2003** in **Las Vegas, Nevada**. The course presents DOE's mixed waste management challenges and discusses the regulatory requirements and DOE's approach for managing mixed waste, including treatment, storage, and disposal for: mixed high level waste; mixed transuranic waste; and mixed low level waste. For more information, please visit <http://www.rtii.org> or call (803) 652-8830.

MDNR Workshops for Online Emissions Inventories. MDNR's Environmental Assistance Office will be offering workshops for users of Missouri's new online Emissions Inventory Questionnaire system in 2003. The Internet-based system for entering emission inventory data will be available for businesses to use for their calendar 2002 emissions reporting. Workshop locations and dates are being finalized. Workshops will be held in **November 2003** in **Kansas City, St. Louis and Jefferson City, Missouri**; and in **December 2003** in **Springfield, Missouri**. Other workshops will be held after the first of the year based on responses to MDNR's mailings. When the workshops are scheduled, they will be announced on the Air Pollution Control Program home page at <http://www.dnr.state.mo.us/alpd/apcp/homeapcp.htm>, and the Environmental Assistance Office will take reservations at (800) 361-4817. For more information, please contact Omer Roberts, MDNR, at (800) 361-4817 or (573) 526-6627.

EPA OSWER Visual Sample Plan Training. This course provides practical, hands-on training in the use of the Visual Sample Plan software in the context of the Data Quality Objectives approach. The target audience is SUPR and RCRA project managers, EPA contractors, PRPs and their contractors, federal facilities staff, quality assurance staff, and other technical staff. Training is scheduled for **5 December 2003 in Kansas City, Kansas;** and **12 December 2003 in Dallas, Texas.** Please visit http://www.hanford.gov/dqo/vsp_training/course_desc20.html. You may also contact Diane Harris, EPA Region 7, at (913) 551-7258 or harris.dianee@epa.gov; or Walter Helmick, EPA Region 6, at (214) 665-8373 or helmick.walt@epa.gov.

Introductory Risk Communication Workshop. The CHPPM is presenting this workshop to provide participants with a basic understanding of the concepts, principles and process of effective risk communication planning. The workshop provides participants with an understanding of essential communication skills and tools for building strategic stakeholder relationships that provide the framework for discussion of complex risk issues. The workshop is scheduled for **9-11 December 2003 at Fort Campbell, Kentucky.** For more information, please call (410) 436-8147.

Advanced Risk Communication Workshop. The CHPPM is presenting this workshop to instruct participants on how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop, scheduled for **13-15 January 2004 in San Diego, California,** will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information, please visit <http://chppm-www.apgea.army.mil/risk> or call (410) 436-3515.

Natural Resources Compliance Course. This course offers instruction in specific natural resources law, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. The course addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This ISEERB-approved course is scheduled for the following dates: **27-30 January 2004 in San Antonio, Texas,** and **22-25 June 2004 in Aberdeen, Maryland.** For further information, please visit <https://www.cecos.navy.mil>.

Introduction to Cultural Resource Management Laws and Regulations. This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. An ISEERB-approved course, it is scheduled for **16-18 March 2004 in New Orleans, Louisiana,** and **17-19 August 2004 in Bangor, Maine.** For further information, please visit <https://www.cecos.navy.mil>.

[\[Top\]](#)

CONFERENCES AND SYMPOSIUMS

18th Annual Hazardous Materials Management Conference on Household and Small Business Waste. This conference is for waste managers of hazardous wastes and special wastes generated from households, farms, and small quantity generators. The theme of this year's conference, scheduled for **6-10 October 2003 in Kansas City, Missouri,** is "Exploring New Vistas." The expanding role of household hazardous waste and CESQG programs will be explored. In addition, an 8-hour OSHA HAZWOPER refresher course will be offered on 9 October. For further information, please visit <http://www.NAHMMA.org>, or contact John Shidler at (913) 299-0486 or jshi06448@aol.com.

Solid Waste Association of North America WASTECON 2003. WASTECON hosts technical sessions on a variety of topics, exhibits from over 250 vendors, and a large section of high quality training opportunities. It is scheduled for **14-16 October 2003 in St. Louis, Missouri.** For more information, please visit <http://www.wastecon.org>.

20th Annual Worldwide Chemical Conference. The theme of this year's conference is "The Chemical Corps – Now More Than Ever." The conference will emphasize the teamwork required between industry, academia, the combat and material developers, and science and technology to resource, equip, and sustain the Warfighters. Presentations on doctrine, training and training development, force structure, equipment, personnel, and other issues will provide the current status and future outlook in each area. The latest military and civilian Chemical Biological

Radiological and Nuclear defense equipment in use and under development will be displayed. The conference is scheduled for **22-24 October 2003** at **Fort Leonard Wood, Missouri**. For further information, please visit <http://register.ndia.org/interview/register.ndia?PID=Brochure&SID=1170V1K5K&MID=4300>.

7th Annual Texas Recycling Summit. This conference on recycling, scheduled for **26-29 October 2003** in **Galveston, Texas**, is hosted by TCEQ and the Texas Department of Transportation. For more information, please visit <http://www.Texasrecyclingsummit.com>.

Brownfields 2003 Conference. This conference on brownfields cleanup and reuse will include panel sessions, mobile workshops, Marketplace of Ideas roundtable discussions and individual poster presentations. The conference is scheduled for **27-29 October 2003** in **Portland, Oregon**. For further information, please visit <http://www.epa.gov/brownfields> or <http://yosemite.epa.gov/r10/cleanup.nsf/sites/bf>.

Greening the Government Conference. This conference will feature training sessions on Environmental Management Systems and compliance with the Federal Environmental Executive Orders on Greening the Government. A special session on the "GSA Advantage" will provide training on Green Purchasing at GSA. The conference is scheduled for **4-5 November 2003** in **Kansas City, Kansas**. For further information, please contact George Moody at (913) 551-7106 or Mary Triay at (816) 823-5100.

Southeast Industrial Byproducts Beneficial Use Summit. The EPA, in association with the Southern Waste Information eXchange, is presenting this summit on **4-5 November 2003** in **Atlanta, Georgia**. The purpose of the summit is to support discussions (1) between industry and regulators to increase the understanding of industrial by-products and regulatory programs; (2) among state regulators to share information and experiences on beneficial use regulations and determination processes; and (3) among industries to share experiences on navigating the regulatory process and to assess the potential to utilize each other's byproducts. Topics to be discussed include overcoming barriers to collaboration; establishing successful partnerships; establishing viable markets; and innovative government and industry programs. For further information, please visit <http://swix.ws/upload/Brochure.pdf>.

EPA Emergency Preparedness and Prevention Conference. The theme of this conference is "Stay the Course," and will emphasize the importance of continued diligence and focus on emergency planning and preparedness efforts. The conference, which is scheduled for **16-19 November 2003** in **Norfolk, Virginia**, will include workshops, general sessions, networking opportunities, and an exhibit hall. For more information, please visit <http://www.2003conference.org>.

NREP/INSTEP Annual Technical Conference. The National Registry of Environmental Professionals and the International Society of Technical and Environmental Professionals are co-sponsoring this conference. The agenda includes certification preparatory workshops, technical papers, and special seminars for updating professional skills. The conference is scheduled for **17-21 November 2003** in **Orlando, Florida**. For more information, please visit <http://www.nrep.org/conference/conference2.html>.

Partners in Environmental Technology Symposium. The Strategic Environmental Research and Development Program and the Environmental Security Certification Program are hosting this symposium and workshop with the theme, "Meeting DoD's Environmental Challenges." A major focus will be sustainability of military testing and training ranges. The symposium, which is scheduled for **2-4 December 2003** in **Washington, D.C.**, will offer 12 technical sessions that highlight proven technologies, as well as technologies needed to address emerging environmental challenges. For more information, please visit <http://www.serdp.org/news/ESAa4c.pdf>.

Conference on Sustainable Range Management. This conference will provide a venue for exchange of information benefitting all stakeholders involved with range management issues. The technical programs will include urban growth and encroachment issues, management of airspace, noise abatement issues, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. The conference is scheduled for **5-8 January 2004** in **New Orleans, Louisiana**. For further information, please visit <http://www.battelle.org/rangecon>.

2004 Army Environmental Training Symposium. The intent of this workshop is to provide environmental training to installation (Active Army, National Guard, and Army Reserve) environmental personnel, installation stakeholders, and other members of the Army environmental community. The workshop is scheduled for **1-5 March 2004** in **Kansas City, Missouri**.

30th Environmental & Energy Symposium & Exhibition. Papers from government, industry, academia and the international community are now being solicited for this symposium, scheduled for **5-8 April 2004** in **San Diego, California**. For a list of topics, as well as information about the symposium, please visit <http://www.ndia.org/events/brochure/4440>. Abstracts are due by 17 October 2003. For more information, please contact Naomi Mundy at (703) 247-9476 or nmundy@ndia.org.

Archaeological Resource Protection Act Course. Fort Hood and the USACE are hosting this course on the Archaeological Resource Protection Act. The course is scheduled for **13-15 April 2004** at **Fort Hood, Texas**. For more information, please contact Cheryl Huckerby at (254) 287-1092 or cheryl.huckerby@hood.army.mil.

National Environmental Assistance Summit. Sponsored by the EPA, this summit is a merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. It is scheduled for **19-22 April 2004** in **Baltimore, Maryland**. If you are interested in presenting at the summit, a Presentation Abstract Submittal Form is found at <http://www.p2.org/summit2004/submitabstract.cfm>. The deadline for submitting is 21 November 2003. For more information on the summit, please visit <http://www.p2.org/summit2004/index.cfm>.

[\[Top\]](#)

FEDERAL ACTIONS

EPA FINAL RULES

Public Water System Supervision Program Revision for the State of Arkansas; Notice of Tentative Approval (68 FR 50540; 21 August 2003). Notice is hereby given that the State of Arkansas is revising its approved Public Water System Supervision Program. Arkansas has adopted the Lead and Copper Rule Minor Revisions to provide monitoring relief for public water systems and clarify some corrosion control treatment requirements, Variance and Exemptions Rule to maintain the authority to issue variances and exemptions especially small system variances, Public Notification Rule to provide more timely notice for violations that pose an acute risk to public health, radionuclides Rule to standardize the monitoring of radiological contaminants and establish an MCL for uranium, the Arsenic Rule to provide for better public health protection by lowering the MCL for arsenic and the Filter Backwash Recycling Rule to require water systems to institute changes to return recycle flow to a plant's treatment process that may otherwise compromise microbial control. The EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. Therefore, EPA intends to approve these program revisions. The deadline for requesting a public hearing has passed. Since no timely and appropriate request for a hearing was received and the Regional Administrator did not elect to hold a hearing on his own motion, this determination became final and effective on 22 September 2003. For further information, please contact Jose Rodriguez at (214) 665-8087.

Public Water System Supervision Program Revision for the State of Oklahoma; Notice of Tentative Approval (68 FR 51013; 25 August 2003). Notice is hereby given that the State of Oklahoma is revising its approved Public Water System Supervision Program. Oklahoma has adopted an Arsenic Rule, Radionuclides Rule, Long Term 1 Enhanced Surface Water Treatment Rule, Filter Backwash Recycling Rule, Public Notification Rule, Lead and Copper Rule Minor Revisions, and a revised Public Water Supply Definition. The Arsenic Rule is adopted to improve public health by reducing the MCL of Arsenic in drinking water from 50 micrograms/Liter to 10 micrograms/Liter. The Radionuclides Rule is adopted to improve public health protection and reduce the risk of cancer by reducing the exposure to radionuclides in drinking water. The Long Term 1 Enhanced Surface Water Treatment Rule will improve control of microbial pathogens, specifically the protozoan *Cryptosporidium*, in drinking water and address risk trade-offs with disinfection byproducts. The Filter Backwash Recycling Rule is adopted to further protect public health by requiring public water systems, where needed, to institute changes to the return of recycle flows to a plant's treatment process that may otherwise compromise microbial control. The Public Notification Rule is adopted to notify the public anytime a water system violates national primary drinking water regulations or has other situations posing a risk to public health. The Lead and Copper Rule Minor Revisions will eliminate unnecessary requirements, streamline and reduce reporting burden, and promote consistent national implementation of the Lead and Copper Rule. Finally, the revised Public Water Supply Definition will now include other constructed conveyances. The EPA has determined that these revisions are no less stringent than the corresponding federal regulations. Therefore, EPA intends to approve these program revisions. The deadline for requesting a public hearing has passed. Since no timely and appropriate request for a hearing was received and the

Regional Administrator did not elect to hold a hearing on his own motion, this determination became final and effective on 24 September 2003. For further information, please contact Dawn Ison at (214) 665-2162.

New Mexico: Incorporation by Reference of Approved State Hazardous Waste Management Program; Immediate Final Rule (68 FR 51488; 27 August 2003). RCRA allows the EPA to authorize States to operate their hazardous waste management programs in lieu of the Federal program. The EPA uses the regulations entitled "Approved State Hazardous Waste Management Programs" to provide notice of the authorization status of State programs and to incorporate by reference those provisions of the State statutes and regulations that will be subject to EPA's inspection and enforcement. The rule codifies in the regulations the prior approval of New Mexico's hazardous waste management program and incorporates by reference authorized provisions of the State's statutes and regulations. This regulation is effective 27 October 2003, unless the EPA received adverse written comment on this regulation by 16 September 2003. For further information, please contact Alima Patterson at (214) 665-8533.

Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program; Immediate Final Rule (68 FR 51488; 27 August 2003). RCRA allows the EPA to authorize States to operate their hazardous waste management programs in lieu of the Federal program. The EPA uses the regulations entitled "Approved State Hazardous Waste Management Programs" to provide notice of the authorization status of State programs and to incorporate by reference those provisions of the State statutes and regulations that will be subject to the EPA's inspection and enforcement. The rule codifies in the regulations the prior approval of Oklahoma's hazardous waste management program and incorporates by reference authorized provisions of the State's statutes and regulations. In addition, this rule corrects technical errors made in the table of authorities published in previous authorization Federal Register notices for Oklahoma. This regulation is effective 27 October 2003, unless the EPA received adverse written comment on this regulation by 16 September 2003. For further information, please contact Alima Patterson at (214) 665-8533.

Public Water System Supervision Program Revision for the State of New Mexico; Notice of Tentative Approval (68 FR 51777; 28 August 2003). Notice is hereby given that the State of New Mexico is revising its approved Public Water System Supervision Program. New Mexico has revised its administrative penalty authority, its public water system definition, adopted the Consumer Confidence Report Rule, the Interim Enhanced Surface Water Treatment Rule, the Stage 1 Disinfection By Products Rule, the new Variances and Exemptions Rule, the revised Public Notification Rule, the new Radionuclides Rule, the Lead and Copper Rule Minor Revisions, the Arsenic Rule, and the Filter Backwash Recycling Rule. The EPA has determined that these revisions are no less stringent than the corresponding federal regulations. Therefore, the EPA intends to approve these program revisions. The deadline for requesting a public hearing has passed. Since no timely and appropriate request for a hearing was received and the Regional Administrator did not elect to hold a hearing on his own motion, this determination became final and effective on 29 September 2003. For further information, please contact Kim Ngo at (214) 665-7158, or ngo.kim@epa.gov.

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Nebraska; Direct Final Rule (68 FR 52691; 5 September 2003). The EPA is announcing approval of revisions to the Nebraska SIP and Operating Permits Program. On 5 September 2002, the state updated its air program construction and operating permitting rules, its definitions rule, and emission inventory reporting rule. This direct final rule will be effective 4 November 2003, unless the EPA receives adverse comments by 6 October 2003. For further information, please contact Wayne Kaiser at (913) 551-7603 or kaiser.wayne@epa.gov.

Approval and Promulgation of Operating Permits Program; State of Iowa; Direct Final Rule (68 FR 54170; 16 September 2003). The EPA is approving revisions to the Iowa Operating Permits Program for air pollution control. This action approves numerous rule revisions adopted by the state since the initial approval of its program in 1995. Rule revisions approved in this action pertain to the deadlines for which an application for a significant modification is due, and Title V insignificant activities and insignificant emission levels. This direct final rule is effective 17 November 2003, unless the EPA receives adverse comment by 16 October 2003. For further information, please contact Judith Robinson at (913) 551-7825 or robinson.judith@epa.gov.

Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri; Direct Final Rule (68 FR 54366; 17 September 2003). The EPA is announcing approval of revisions to the Missouri SIP and Operating Permit Program. The changes, which include revisions to definitions, permit modification procedures, and reporting requirements, were made to correct the operating permit program deficiencies listed in the Notice of Deficiency published by the EPA in the Federal Register on 25 March 2002. This

rule finds that Missouri has cured all such deficiencies, and permanently suspends any resulting consequences, including sanctions, with respect to those specific deficiencies. This direct final rule will be effective 17 November 2003, unless the EPA receives adverse comments by 17 October 2003. For further information, please contact Harriett Jones at (913) 551-7730 or jones.harriett@epa.gov.

Approval and Promulgation of Implementation Plans; New Mexico; Redesignation of Grant County to Attainment for Sulfur Dioxide; Direct Final Rule (68 FR 54672; 18 September 2003). The EPA is taking direct final action on a request to redesignate Grant County, New Mexico from nonattainment area to attainment for the sulfur dioxide NAAQS. In conjunction with this action, the EPA is also approving the maintenance plan, and its associated contingency measures plan for the Grant County nonattainment area, which were submitted to ensure that the attainment of SO₂ NAAQS will continue to be maintained. The redesignation request and maintenance and contingency measures plans were submitted as a revision to the New Mexico SIP by NMED on 21 February 2003. This rule is effective on 17 November 2003, unless the EPA receives relevant adverse comment by 20 October 2003. For further information, please contact Carrie Paige at (214) 665-6521 or paige.carrie@epa.gov; or Alan Shar at shar.alan@epa.gov.

EPA PROPOSED RULES

Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of 4 Compounds (68 FR 52373; 3 September 2003). The EPA is proposing to revise its definition of VOCs for purposes of preparing SIPs to attain the NAAQSs for ozone under title I of the Clean Air Act. This proposed revision would add four compounds to the list of compounds excluded from the definition of VOC on the basis that these compounds make a negligible contribution to tropospheric ozone formation. With this proposed action the EPA is not finalizing a decision on how future petitions will be evaluated. The EPA is currently in the process of assessing its VOC policy in general, and intends to publish a future notice inviting public comment on the VOC exemption policy and the concept of negligible reactivity as part of a broader review of overall policy. The deadline for requesting a public hearing has passed; comments are due by 3 October 2003. For further information, please contact David Sanders at (919) 541-3356.

Revisions to the Regional Haze Rule To Correct Mobile Source Provisions in Optional Program for Nine Western States and Eligible Indian Tribes Within That Geographic Area; Notice of Public Hearing (68 FR 53081; 9 September 2003). Due to a request from a commenter, the EPA is holding a public hearing on a notice of proposed rulemaking that was published in the Federal Register on 3 July 2003 (68 FR 39888) related to the mobile source provisions in 40 CFR 51.309 of the EPA's regional haze rule. The EPA published both a direct final rule and a concurrent notice of proposed rulemaking to amend and revise certain provisions of the regional haze rule in order to address an emissions projection scenario for mobile sources which was not addressed when EPA published the regional haze rule in 1999. A public hearing is scheduled for 8 October 2003. For further information, please contact Kathy Kaufman at (919) 541-0102 or kaufman.kathy@epa.gov.

Comment: New Mexico is one of the nine western states.

Approval and Promulgation of Implementation Plans; State of Kansas (68 FR 54190; 16 September 2003). The EPA is proposing to approve a revision to the plan prepared by Kansas to maintain the 1-hour NAAQS for ozone in the Kansas portion of the Kansas City maintenance area through the year 2012. This plan is applicable to Johnson and Wyandotte Counties. Comments are due by 16 October 2003. For further information, please contact Leland Daniels at (913) 551-7651 or daniels.leland@epa.gov.

Approval and Promulgation of Implementation Plans; State of Missouri (68 FR 54186; 16 September 2003). The EPA is proposing to approve a revision to the plan prepared by Missouri to maintain the 1-hour NAAQS for ozone in the Missouri portion of the Kansas City maintenance area through the year 2012. This plan is applicable to Clay, Jackson and Platte Counties. Comments are due by 16 October 2003. For further information, please contact Leland Daniels at (913) 551-7651 or daniels.leland@epa.gov.

OTHER EPA REGULATORY ACTIVITY

Proposed National Pollutant Discharge Elimination System (NPDES) Storm Water General Permits for Small Municipal Separate Storm Sewer Systems (MS4s) in New Mexico, Indian Country Lands in New Mexico and Indian Country Lands in Oklahoma and Preliminary Designation Decisions for Small MS4s Outside Urbanized Areas in New Mexico; Notice (68 FR 53166; 9 September 2003).

The Director of the EPA Region 6 Water Quality Protection Division is proposing to issue NPDES general permits for storm water discharges from small municipal separate storm sewer systems (MS4s) located in the State of New Mexico, Indian Country Lands in New Mexico, and Indian Country Lands in Oklahoma. The proposed general permits would authorize the discharge of storm water and certain non-storm water discharges from municipal separate storm sewers. To obtain discharge authorization, operators of MS4s would be required to submit a Notice of Intent (NOI) to be covered by the proposed general permit. The NOI would need to include storm water management program information describing the best management practices (BMPs) which the permittee will implement to control pollutants in the discharges in accordance with the requirements of the CWA and measurable goals for their implementation. In accordance with 40 CFR 122.34(a), the operator would have up to five years to develop and fully implement the storm water management program. The initial storm water management program submittal would likely consist of a combination of ongoing activities and schedules for developing and implementing additional activities to comply with the permit. Annual reporting would also be required to provide information on the status of the implementation of the storm water management program. This Notice announces the availability of the proposed general permits and fact sheet for public comment. While the proposed general permits are structured as a single permit, and may be collectively referred to in the singular as the permit, they are actually three legally distinct permits each covering a different geographical area. Permit NMS040000 covers the State of New Mexico, except Indian Country Lands. Parts 1-7 of the proposed general permit and the Appendices are common to all of the permits, while Part 8 of the permit contains the State, Indian Country Land or other area-specific conditions that make each of the permits unique. The proposed general permits will cover areas within Region 6 where a State or Tribal permitting program has not been authorized under section 402(b) of the CWA. At this time, no regulated MS4s under EPA jurisdiction are located in Arkansas, Louisiana, or Texas, so permits for these areas are not being proposed by Region 6. Most MS4s in Arkansas, Louisiana, Oklahoma, and Texas are regulated by NPDES-authorized State programs. This notice also announces the availability for public comment of the preliminary results of the Region's review of those New Mexico small MS4s with a population of between 10,000 and 50,000 and a population density of 1,000 or more per square mile that are located outside a Urbanized Area for possible designation as a regulated small MS4 (see 40 CFR 123.35[b]). A public hearing may be requested. Comments are due by 24 October 2003. For further information, please contact Terry Branch at (214) 665-6667 or branch.terry@epa.gov; or Diane Smith at (214) 665-2145 or smith.diane@epa.gov.

[\[Top\]](#)

REGION 6 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Arkansas Department of Environmental Quality (ADEQ)	http://www.adeq.state.ar.us
Arkansas General Assembly	http://www.arkleg.state.ar.us/
Louisiana Department of Environmental Quality (LDEQ)	http://www.deq.state.la.us
Louisiana Legislature	http://www.legis.state.la.us/
New Mexico Environment Department (NMED)	http://www.nmenv.state.nm.us/
New Mexico Legislature	http://legis.state.nm.us/
Oklahoma Department of Environmental Quality (ODEQ)	http://www.deq.state.ok.us
Oklahoma Legislature	http://www.lsb.state.ok.us/
Texas Commission on Environmental Quality (TCEQ)	http://www.tnrcc.state.tx.us
Texas Legislature	http://www.capitol.state.tx.us/

ARKANSAS

Legislative/Regulatory Activity

There is no State of Arkansas regulatory activity to report this month.

NOTE: Please see the EPA action related to Arkansas under **FEDERAL ACTIONS**.

[\[Top\]](#)

LOUISIANA

Legislative/Regulatory Activity

There is no State of Louisiana regulatory activity to report this month.

[\[Top\]](#)

NEW MEXICO

Legislative/Regulatory Activity

STATE OF NEW MEXICO FINAL RULE

(UPDATE) **Incorporation of Federal Hazardous Waste Rules (20 NMAC 4.1).** The New Mexico Environmental Improvement Board has adopted amendments to update the Hazardous Waste regulations to bring them into conformity with federal regulations up through 1 July 2002. The current regulations adopt federal regulations up through 1 July 1999. With amendments, the federal regulations would be adopted up through 1 July 2002. In addition, the Hazardous Waste Management Program will include a Used Oil Component to assure the appropriate management of used oil pursuant to federal regulations. The following federal regulations will be adopted: 40 CFR parts 261-266, 268, 270, 273, and 279. In addition, 40 CFR sections 260.20 and 260.22 will be incorporated by reference. The effective date of this rule is 1 October 2003. *For further information, please contact Geraldine Madrid-Chavez at (505) 827-2425.*

STATE OF NEW MEXICO PROPOSED RULES

(UPDATE) **Amendments to Toxic Pollutant Criteria (20 NMAC 6.2).** NMED is proposing amendments to the toxic pollutant criteria and water quality standards of the Water Quality Control Commission Regulations. The proposed amendments will add 2,6 DNT, HMX, RDX, TNT, MTBE and perchlorate to the Commission's toxic pollutant listing as a narrative standard (note, for narrative standards, numerical enforcement levels are established on a case-by-case and site-by-site basis), and will change the existing groundwater numerical standard for uranium from 5 mg/L to 0.007 mg/L. NMED is the proponent of the proposed amendments. Note, Manganese was also proposed to be listed as a toxic pollutant, but was withdrawn by NMED on the second day of testimony. *For further information, please contact Geraldine Madrid-Chavez at (505) 827-2425.*

Counsel Comment: During public hearings of the New Mexico Water Quality Control Commission, during the week of 22 September 2003, the Commission took testimony from NMED and several other technical and non-technical parties, including the CREO. Generally, the CREO commented that the Army and the DoD want a fair and timely opportunity to work with NMED when and if they attempt to establish numerical standards for any of the explosives or perchlorate. In addition, during cross-examination, NMED testified that even if these proposed regulatory changes are approved, the current level and extent of explosive and perchlorate contamination is such that NMED will **not** pursue abatement actions at Ft. Wingate, White Sands Missile Range, Cannon AFB, Holloman AFB, or Melrose AF Range for these constituents. NMED was apparently willing to make such a statement because they feel that the explosive/perchlorate contamination at military sites in New Mexico does not currently pose a threat to groundwater reasonably anticipated for future drinking water or agricultural uses.

(UPDATE) **Revisions to Open Burning Regulation (20 NMAC 2.60).** NMED is proposing revisions to 20.2.60 NMAC, Open Burning. Because of the extensive nature of the revisions, the Department is requesting that the Environmental Improvement Board repeal the existing regulation and replace it with a new regulation. The Department is requesting this hearing in conjunction with the Smoke Management regulation hearing because of the continuum between the two proposed regulations. The current Open Burning regulation has not been significantly revised since it was promulgated in 1970. The proposed Part 60 would replace the current system of open burning pursuant to Department-issued permits containing individualized conditions with open burning without permit pursuant to a uniform rule. A proposed new section of Part 60 would apply to small-scale burning of vegetative materials that is de minimus in the context of the proposed Smoke Management regulation (20.2.65 NMAC). The Part 60 section would set uniform conditions for burning less than specified amounts of vegetation per day, and would apply to all such burning regardless of land use or purpose of burning. Also proposed is a prohibition on burning of household

waste (other than vegetative materials), to take effect 1 June 2004. The Department proposes new rule language to provide more clarity on the conditions under which household waste may be burned during the interim period before the prohibition takes effect. This regulation applies to almost all types of outdoor burning, including trash, weed, yard waste, agricultural, and prescribed burning. The regulation applies statewide, except in Bernalillo County and on Tribal and Pueblo Lands. The Environmental Improvement Board will hold public hearings on 17-19 November 2003 to consider revisions to New Mexico's State Implementation Plan to incorporate federal regional haze requirements, including adopting 20.2.65 NMAC (Smoke Management) and 20.2.81 NMAC (Western Backstop Sulfur Dioxide Trading Program), and revising 20.2.73 NMAC (Notice of Intent and Emission Inventory Requirements). In addition, the Board will consider whether to repeal and replace 20.2.60 NMAC (Open Burning). *For further information, please contact Brad Musick at (505) 827-0335.*

NOTE: Please see the EPA action related to New Mexico under **FEDERAL ACTIONS**.

[\[Top\]](#)

OKLAHOMA

Legislative/Regulatory Activity

STATE OF OKLAHOMA PROPOSED RULE

(UPDATE) **Replacement of Permit by Rule Provisions with "Permit Exempt Facilities" (OAC 252:100-7).** ODEQ is proposing to replace the provisions for "permit by rule" with a new class to be called "permit exempt facility". This proposal is replacing a previous proposal to create a permit by rule for natural gas compression facilities. The "permit exempt facility" would apply to facilities with emissions of less than 40 tons/year and would require facilities to submit an emissions inventory and institute other possible controls (i.e. fugitive dust controls). The Department is also proposing to increase the annual operating fees, while exempting the new permit exempt facility category in this rulemaking. The proposal will increase the annual operating fee for Part 70 sources in 252:100-5-2.2. In addition, the proposal will replace the permit by rule with a new category to be called permit exempt facility. To do this, the Department is proposing revisions to sections in Subchapters 5, 7, 19, 23, 24, and 37 and proposes to revoke Appendix L. This will include the elimination of annual operating fees for permit exempt facilities. Amendments to Subchapter 13, Open Burning, will clarify the scope of exemptions that allow open burning for purposes of fire training. Section 9 will also be amended to exempt hydrocarbon flares from the prohibition against burning between sunset and sunrise. Finally the proposal will replace an existing emergency rule with a permanent rule to exempt glass-melting furnaces that utilize BACT from the requirements of Subchapter 33 or otherwise set a new standard for glass-melting furnaces that is attainable. The Department also proposes to revise the definition of "new fuel-burning equipment" to reflect that direct-fired fuel-burning equipment did not become subject to Subchapter 33 until 1977. *For further information, please contact Joyce Sheedy at (405) 702-4100.*

NOTE: Please see the EPA action related to Oklahoma under **FEDERAL ACTIONS**.

[\[Top\]](#)

TEXAS

Legislative/Regulatory Activity

STATE OF TEXAS PROPOSED RULE

(UPDATE) **Commercial Industrial Non-Hazardous Waste Landfill Rules (30 TAC 335.580-335.594).** TCEQ has proposed new standards for the disposal of non-hazardous industrial waste in commercial industrial non-hazardous waste landfills, including design and operational standards. The regulatory changes to Chapter 335 would provide new standards for the disposal of Class 1 nonhazardous industrial solid waste in commercial industrial nonhazardous waste landfill units and will clarify the requirements that must be met to obtain a permit to operate a CINWL. The proposed rules also will assist applicants in the preparation of administratively and technically complete applications for CINWLs, and will assist agency staff in completing thorough, consistent, and timely reviews of these applications. A public hearing has been held; comments are due by 6 October 2003. *For further information, please contact Ray Austin at (512) 239-6814.*

OTHER REGULATORY ACTIVITY

(NEW) **Specification of Location Requirement Compliance Demonstration Criteria for Concrete Crushers and Other Facilities (30 TAC 106).** TCEQ has drafted criteria for determining compliance of portable facilities with distance limitations for the review and approval of permit applications. It affects owners and operators of portable facilities such as concrete crushers, concrete batch plants, and hot mix asphalt plants. The regulation will define how distance measurements should be taken and when they would be applicable in relation to certain air permit actions subject to public notice and hearing procedures; allow for the storage of an inoperative concrete crusher within 440 yards of a residence, school, or place of worship; define how distance measurements should be taken and when distance limitations are applicable for concrete crushing facilities; and excuse concrete crushers from distance requirements when recycling broken concrete at temporary demolition sites unless the facility is located in a county with a population of 2.4 million or more or in a county adjacent to such a county. TCEQ met on 10 September 2003 to discuss the draft proposal. *For further information, please contact Clifton Wise at (512) 239-2263.*

[\[Top\]](#)

REGION 7 STATE ACTIVITY

Regulatory & Legislative Web Sites	
Iowa Department of Natural Resources (IDNR)	http://www.state.ia.us/dnr/
Iowa General Assembly	http://www.legis.state.ia.us/
Kansas Department of Health and Environment (KDHE)	http://www.kdhe.state.ks.us
Kansas Legislature	http://www.kslegislature.org/cgi-bin/index.cgi
Missouri Department of Natural Resources (MDNR)	http://www.dnr.state.mo.us/homednr.htm
Missouri General Assembly	http://www.moga.state.mo.us/
Nebraska Department of Environmental Quality (NDEQ)	http://www.deq.state.ne.us
Nebraska Legislature	http://www.unicam.state.ne.us/

IOWA

Legislative/Regulatory Activity

STATE OF IOWA FINAL RULE

(UPDATE) **Small Source and Indoor-Vented Source Regulation (567 IAC 22).** IDNR adopted regulations regarding exemptions that pertain to specific types of equipment used for nonproduction activities or that vent indoors and specific types of manually operated equipment. The effective date of this rule is 8 October 2003. *For further information, please contact Wayne Gieselman at (515) 281-5817.*

OTHER REGULATORY ACTIVITY

(NEW) **Adoption of NESHAPs and NSPSs (567 IAC 20, 22, 23).** IDNR is discussing a rulemaking to adopt the latest revisions to the NESHAPs and NSPSs. The Department generally updates the rules every six months to keep the rules current. The Department hopes to take the rulemaking to the Environmental Protection Commission at its 20 January 2004 meeting. *For further information, please contact Jim McGraw at (515) 242-5167.*

(NEW) **Review of Air Quality Program Rules (567 IAC 20-29, 31).** IDNR is discussing a rule review for the air quality program. The revised rules will be up-to-date and more direct. The rule revision was initiated by the Governor. The Department expects to go to the Environmental Protection Commission on 20 January 2004 to introduce the rulemaking. *For further information, please contact Jim McGraw at (515) 242-5167.*

(NEW) **General Permit for Construction (567 IAC 22).** IDNR is discussing a rulemaking to allow for the general permitting of a category or class of facilities in the construction permit program. The Department expects to

go to the Environmental Protection Commission on 20 January 2004 to introduce the rulemaking. *For further information, please contact Jim McGraw at (515) 242-5167.*

(NEW) Commercial and Industrial Solid Waste Incineration Emissions Guidelines (567 IAC 23).

IDNR is discussing a rulemaking to establish emission guidelines and compliance schedules for the control of emissions from commercial and industrial solid waste incinerators. The Department has not yet set a schedule for rulemaking. *For further information, please contact Jim McGraw at (515) 242-5167.*

(NEW) Adoption of Standards for Hydrogen Sulfide and Ammonia (567 IAC 28). IDNR is discussing the adoption of ambient air quality standards for hydrogen sulfide and ammonia. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Bryan Bunton at (515) 242-5094.*

(NEW) Update to Water Quality Standards (567 IAC 60, 61, 72). IDNR is discussing revisions to the water quality standards as a result of the 2002 triennial review. The rulemaking would (1) modify the protected flow considerations; (2) modify chronic protection in general use waters; (3) make modifications to allowed mixing zones; and (4) revise implementation of the antidegradation policy. The Department hopes to have a draft rule in May 2004. *For further information, please contact Kelly Stone at (515) 281-4312.*

(NEW) Adoption of Federal Pretreatment and Effluent Standards (567 IAC 60, 62, 63). IDNR is discussing a rulemaking to incorporate the latest revisions to the federal effluent and pretreatment standards and monitoring, analytical and reporting requirements. The Environmental Protection Commission was expected to approve the revisions at its 15 September 2003 meeting. The Commission was being asked to adopt these rules without public notice and participation. *For further information, please contact Steve Williams at (515) 281-8884.*

(NEW) Monitoring, Analytical and Reporting Requirements for Wastewater Treatment Facilities (567 IAC 63). IDNR is discussing a rulemaking to revise the monitoring requirements for wastewater facilities. The revisions are taking place to ensure that the frequency and level of monitoring effluent from treatment facilities will provide reliable assurances that facilities are providing the degree of treatment necessary to meet state water quality standards. The Department hopes to send a draft to the Environmental Protection Commission at its February 2004 meeting. *For further information, please contact Wayne Farrand at (515) 281-8877.*

(NEW) Onsite Wastewater Treatment and Disposal Systems (567 IAC 69). IDNR is discussing a rulemaking to update the wastewater treatment and disposal systems rules. The rules are periodically updated and it is unknown at this time what revisions will take place. The Department has appointed a stakeholder's committee to review the rules. Their report is due in early 2004. The Department hopes to have a draft available by May 2004. *For further information, please contact Brent Parker at (515) 725-0337.*

(NEW) Management and Disposal of Solid Waste (567 IAC 100). As part of Executive Order No. 8, IDNR is revising and updating their regulations on the management and disposal of solid wastes. A new chapter will also be added for farm waste disposal. The Department hopes to have a draft ready in October 2003. *For further information, please contact Jeff Myrom at (515) 281-3302.*

(NEW) Revision of Solid Waste Processing and Transformation Rules (567 IAC 104). IDNR is updating and revising their solid waste processing and transformation rules under Executive Order No. 8. The rules will consolidate separate rules into one place, and will reflect modern best management practices. The Department hopes that it will encourage waste diversion from landfills. The Department plans to have advisory committee meetings in March 2004. *For further information, please contact Jeff Myrom at (515) 281-3302.*

(NEW) Municipal Solid Waste Landfills (567 IAC 113). Under Executive Order No. 8, IDNR is revising and updating their rules on municipal solid waste landfills. The revised rules will be consolidated from separate chapters and updates to reflect modern best management practices and to mirror the minimum federal RCRA subtitle D standards. The Department hopes to form advisory committees in July 2004. *For further information, please contact Jeff Myrom at (515) 281-3302.*

(NEW) Land Application of Biodegradable Solid Waste (567 IAC 121). As part of Executive Order No. #8, IDNR is revising and updating their rules on the land application of biodegradable solid waste. The revision will consolidate the rules into a new chapter. Revisions will include modern standards for the protection of groundwater, surface water, soil, and crop productivity and safety. The Department hopes that this will provide a less expensive

alternative to landfilling. The Department plans to hold advisory committee meetings in December 2003. *For further information, please contact Jeff Myrom at (515) 281-3302.*

(NEW) **Recycling of Electronic Goods (567 IAC 122).** IDNR is discussing a rulemaking on the recycling of electronic goods and disassembling and removing of toxic parts from electronic goods. The Department hopes to have a draft rule by December 2003. *For further information, please contact Merry Rankin at (515) 281-8263.*

(NEW) **Land Recycling Program and Response Action Standards (567 IAC 137).** IDNR is considering modifications to the land recycling program and response action standards. The rulemaking will change the requirements for establishing risk-based standards. The Department hopes to convene technical advisory committee meetings in November 2003. *For further information, please contact Bob Drustrup at (515) 281-8900.*

(UPDATE) **Amendments to Air Quality Standards Regulations (567 IAC 28).** IDNR has withdrawn its discussions on re-drafting amendments to its Ambient Air Quality Standards in Chapter 28. The proposed amendments would have incorporated recommendations contained in a report published by Iowa State University and the University of Iowa, "Iowa Concentrated Animal Feeding Operations Air Quality Study." While the study focused only on Concentrated Animal Feeding Operations, the Department was to have considered in this rulemaking whether to extend the recommendations to all source categories. The recommendations concerned hydrogen sulfide, ammonia and odor. *For further information, please contact Brian Button at (515) 281-7832.*

NOTE: Please see the EPA action related to Iowa under **FEDERAL ACTIONS**.

[\[Top\]](#)

KANSAS

Legislative/Regulatory Activity

STATE OF KANSAS REGULATORY ACTIVITY

(NEW) **Amendment to Inventory Report Rule.** KDHE is discussing a rulemaking to amend the inventory reporting rule. The Department is discussing a possible increase in fees, changing the submission date of class II inventories to 1 April, and minor housekeeping changes. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Tom Gross at (785) 296-1692.*

(NEW) **Adoption of Consolidated Air Rule.** KDHE is discussing the adoption of the federal Consolidated Air Rule. The Consolidated Air Rule maintains the current levels of health and environmental benefits from the 16 existing rules, which are currently reducing emissions of VOCs and air toxics to the atmosphere. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Tom Gross at (785) 296-1692.*

(NEW) **Adoption of Federal Acid Rain Permit Amendments.** KDHE is discussing the adoption of the federal amendments to the acid rain permits programs. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Tom Gross at (785) 296-1692.*

(NEW) **Adoption of Updated Federal Standards.** KDHE is discussing adopting the federal update to the clean air standards for ground level ozone. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Tom Gross at (785) 296-1692.*

(NEW) **Adoption of Federal Opacity Standards.** KDHE is discussing the adoption of the updated federal opacity standards. The Department has not yet set a schedule for the rulemaking. *For further information, please contact Tom Gross at (785) 296-1692.*

(UPDATE) **Chloride TMDL for Lower Arkansas Basin.** KDHE has developed chloride TMDLs for the Lower Arkansas Basin. The water bodies which will receive TMDLs include the following: segments of the Arkansas River, Turkey Creek, Cow Creek, and the Upper Little Arkansas River. The Department was to have submitted the TMDLs to the EPA for approval by the end of September 2003. The EPA approval should occur by 1 November 2003. *For further information, please contact Tom Stiles at (785) 296-6170.*

(UPDATE) **Triennial Review of Water Quality Standards.** KDHE is conducting its triennial review of WQSS and drafting amendments based on the review. The Department created a focus group which defined six key issues related to the water quality standards. The six key issues are (1) atrazine, (2) bacteria, (3) high flow, (4) natural pollutants, (5) nutrients, (6) site-specific concerns. The Department then wrote White Papers for each of the key issues. The Department was on schedule to publish the proposed regulations in August 2003, hold hearings in September and October 2003, and adopt the regulations and submit them to the EPA in December 2003. Staff now report that because of House Bill 2219 and the EPA's lack of response to regulations that were submitted in December 2002, the Department has put on hold the triennial review process until current regulation submissions are approved or disapproved by the EPA. *For further information, please contact Bret Holman at (785) 296-5508.*

NOTE: Please see the EPA action related to Kansas under **FEDERAL ACTIONS**.

[\[Top\]](#)

MISSOURI

Legislative/Regulatory Activity

STATE OF MISSOURI FINAL RULES

(UPDATE) **Exemption of Portable Equipment Installations (10 CSR 10-6.020, .065).** MDNR has adopted regulations exempting portable equipment installations from Air Pollution Control requirements when the time between relocations is no more than two years. Under current regulations, a portable equipment installation must amend its operating permit each time it relocates. An installation must also be evaluated within the New Source Review permitting process each time it relocates. The Department has determined that exempting these sources from Basic Operating Permit requirements would reduce the burdens on these sources and the Department's Air Pollution Control Program without negatively impacting air quality. In order to implement this recommendation, a definition for portable equipment installations is proposed to be added to 10 CSR 10-6.020 Definitions and Common Reference Tables, and portable equipment installations are proposed to be added to the list of exempt facilities and emission units in 10 CSR 10-6.065 Operating Permits. The effective date of this rule is 15 October 2003. *For further information, please contact Wayne Grath at (573) 751-4817.*

(UPDATE) **Construction Permit by Rule (10 CSR 10-6.060 - .062).** MDNR has adopted its amendments to the construction permitting process for air pollution sources. The amendments move the current generic permit exemptions from 10 CSR 10-6.060 Construction Permits Required to a new rule (10 CSR 10-6.061 Construction Permit Exemptions). The new rule lists the specific category exemptions. In addition, the Department has adopted the permit-by-rule concept in a new rule, 10 CSR 10-6.062 Construction Permits by Rule. Companies will choose to be subject to a set of permit-by-rule conditions so that they do not have to wait for approval before they begin to construct. The effective date of this rule was 15 October 2003. *For further information, please contact John Rustige at (573) 751-4817.*

(UPDATE) **Adoption of Federal Emission Standards (10 CSR 10-6.070, .075, .080).** MDNR has adopted rulemakings incorporating changes made to 40 CFR parts 60, 61, and 63 during the previous year into the Missouri code. These rulemakings will adopt by reference new emission standards. These include the 2-, 4-, 7-, and 10-year MACT standards and performance criteria for new or modified stationary sources of hazardous air pollutants. Additionally, these rulemakings include updates and clarifications to existing standards. The following regulations will be affected by these proposed rulemakings: (1) 10 CSR 10-6.070 New Source Performance Regulations, (2) 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations, and (3) 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The effective date of this rule was 2 October 2003. *For further information, please contact Don Cripe at (573) 751-4817.*

STATE OF MISSOURI PROPOSED RULE

(UPDATE) **Gasoline Delivery VOC Emissions Control (10 CSR 10-2.260).** MDNR has proposed to add omitted vapor line requirements to perform proper vapor recovery during fuel delivery at gasoline stations as intended by the rule 10 CSR 10-2.260. The proposed rule restricts VOC emissions from the handling of petroleum liquids in the Kansas City metropolitan area that contribute to the formation of ozone in order to protect the environment. The intent of the original section (5) of this rule was to require vapor recovery during gasoline delivery (stage I) at a filling station, recovering no less than 90% of the gasoline vapors displaced during delivery. However, vapor line requirements were inadvertently omitted when the rule section was promulgated. This amendment to the rule will

correct the omission and add the intended vapor line requirements requiring gasoline delivery vessel owners or operators to use one vapor line per product line when transferring gasoline to a gasoline storage tank. This will ensure gasoline vapor recovery of at least 90% by volume. A public hearing is scheduled for 30 October 2003; comments are due by 6 November 2003. *For further information, please contact Ben Elmore at (573) 751-4817.*

OTHER REGULATORY ACTIVITY

(NEW) **Restriction of Emission of Sulfur Compounds (10 CSR 10-2.260).** MDNR is discussing an amendment required to address changes in circumstances to regulated sources as requested by the EPA. The amendment updates emission limits and references to regulations, changes the rule organization format and updates the rule references with regard to facility name changes, consent agreements, etc. The rulemaking also clarifies applicability of sources subject to New Source Performance Standards and this rule, and includes an exemption for combustion equipment that produces less than 150 pounds per day of any air contaminant for consistency with the operating permit rule exemptions. The amendment updates the rule to correct inaccurate regulated source information (e.g., facility name changes), and provides an exemption for natural gas fueled combustion and revises NSPS exemption to assure NSPS sources are subject to sulfur limits. The Department plans to make a proposal in October 2003. *For further information, please contact Paul Myers at (573) 751-4817.*

NOTE: Please see the EPA action related to Missouri under **FEDERAL ACTIONS**.

[\[Top\]](#)

NEBRASKA

Legislative/Regulatory Activity

There is no State of Nebraska regulatory activity to report this month.

NOTE: Please see the EPA action related to Nebraska under **FEDERAL ACTIONS**.

[\[Top\]](#)

Acronyms and Abbreviations

ACSIM = Assistant Chief of Staff for Installation Management
ADEQ = Arkansas Department of Environmental Quality
AEDB = Army Environmental Database
AFCEE = U.S. Air Force Center for Environmental Excellence
AFIT = Air Force Institute of Technology
ANPRM = Advance Notice of Proposed Rulemaking
ANSI = American National Standards Institute
APA = American Planning Association
AQCR = Air Quality Control Region
AST = aboveground storage tank
ASTSWMO = Association of State and Territorial Solid Waste Management Officials
ATV = all-terrain vehicle
AWMA = Air & Waste Management Association
BAT = best available technology
BRAC = Base Realignment and Closure
CAA = Clean Air Act
CADD = computer-aided design and drafting
CAM = compliance assurance monitoring
CAMU = corrective action management unit
CARB = California Air Resources Board
CBT = computer-based training
CCAR = Coordinating Committee for Automotive Repair
C&D = construction and demolition
CECOS = Civil Engineer Corps Officers
CERCLA = Comprehensive Environmental Response, Compensation and Liability Act

CESQG = conditionally exempt small-quantity generator
CFC = chlorofluorocarbon
CFR = Code of Federal Regulations
CHPPM = U.S. Army Center for Health Promotion and Preventative Medicine
CINWL = commercial industrial nonhazardous waste landfill
CISWI = commercial and industrial solid waste incinerator
CO = carbon monoxide
CREO = Central Regional Environmental Office
CSR = Code of State Regulations
CTT = closing, transferring and transferred ranges
CWA = Clean Water Act
DAC = Defense Ammunition Center
DBP = disinfection byproduct
DBPR = Disinfectants and Disinfection Byproducts Rule
DENIX = Defense Environmental Network & Information eXchange
DERP = Defense Environmental Restoration Program
DFW = Dallas/Fort Worth
DNT = dinitrotoluene
DoD = U.S. Department of Defense
DOE = U.S. Department of Energy
DOI = U.S. Department of Interior
DOT = U.S. Department of Transportation
DRMS = Defense Reutilization and Marketing Service
DSMOA = Defense/State Memorandum of Agreement
EA = environmental assessment
ECAS = Environmental Compliance Assessment System
ECHO = Enforcement and Compliance History Online
ECOS = Environmental Council of the States
ECSR = Environmental Compliance Status Report
EIS = environmental impact statement
EMR = environmental management review
EMS = environmental management system
EO = executive order
EPA = U.S. Environmental Protection Agency
EPAS = Environmental Performance Assessment System
EPCRA = Emergency Planning and Community Right-to-Know Act
ER = environmental restoration
ERC = emission reduction credit
ERTP = Environmental Response Training Program
ETMD = Environmental Training and Management Division
EVR = enhanced vapor recovery
FIFRA = Federal Insecticide, Fungicide and Rodenticide Act
FFEO = Federal Facilities Enforcement Office
FM = facilities management
FR = Federal Register
FS = feasibility study
FUDS = Formerly Used Defense Sites
FY = fiscal year
GAO = General Accounting Office
GCP = general construction permit
GIS = geographic information system
gpd = gallons per day
GSA = General Services Administration
HAP = hazardous air pollutant
HAZMAT = hazardous materials
HAZWOPER = Hazardous Waste Operations and Emergency Response
HB = House Bill
HGA = Houston/Galveston Area
HJR = House Joint Resolution
HM = hazardous material

HMIRS = Hazardous Materials Information Resource System
 HMIWI = hospital/medical/infectious waste incinerator
 HMX = high melting point explosive
 HQ = headquarters
 HSB = House Study Bill
 HTRW = hazardous/toxic and radioactive waste
 IAC = Iowa Administrative Code
 IDNR = Iowa Department of Natural Resources
 IESWTR = Interim Enhanced Surface Water Treatment Rule
 I&M = inspection and maintenance
 IMI = Installation Management Institute
 INSTEP = International Society of Technical and Environmental Professionals
 ISEERB = Interservice Environmental Education Review Board
 ISO = International Organization for Standardization
 ISR = Installation Status Report
 ITAM = Integrated Training Area Management
 ITRC = Interstate Technology Regulatory Council
 KAR = Kansas Administrative Rules
 KCMA = Kansas City Metropolitan Area
 KDA = Kansas Department of Agriculture
 KDHE = Kansas Department of Health and Environment
 kW = kilowatt
 LAC = Louisiana Administrative Code
 LB = legislative bill
 LDEQ = Louisiana Department of Environmental Quality
 LDR = land disposal restriction
 LLRW = low level radioactive waste
 LPDES = Louisiana Pollutant Discharge Elimination System
 LPST = leaking petroleum storage tank
 LQG = large quantity generator
 LT1ESWTR = Long Term 1 Enhanced Surface Water Treatment Rule
 LT2ESWTR = Long Term 2 Enhanced Surface Water Treatment Rule
 LUC = land use control
 LUST = leaking underground storage tank
 MACT = maximum achievable control technology
 MCL = maximum contaminant level
 MCLG = maximum contaminant level goal
 MDNR = Missouri Department of Natural Resources
 MDS = minimum desirable streamflow
 MEG = Military Environmental Group
 MEK = methyl ethyl ketone
 mg/L = milligram per liter
 mg/yr = megagrams per year
 MMR = Military Munitions Rule
 mph = mile per hour
 MP&M = metal products and machinery
 M2R = Military Munitions Rule
 mrem = millirem
 mrem/yr = millirem per year
 MS4 = municipal separate storm sewer system
 MSDS = material safety data sheet
 MSWG = Multi-State Working Group
 MSWLF = municipal solid waste landfill
 MSWTS = municipal solid waste transfer station
 MTBE = methyl tertiary butyl ether
 MVECP = Motor Vehicle and Engine Compliance Program
 MWC = municipal waste combustion
 NAAQS = National Ambient Air Quality Standard
 NAICS = North American Industry Classification System
 NDEQ = Nebraska Department of Environmental Quality

NDIA = National Defense Industrial Association
 NEPA = National Environmental Policy Act
 NESHAP = National Emission Standards for Hazardous Air Pollutants
 NFPA = National Fire Protection Association
 NGWA = National Ground Water Association
 NHPA = National Historic Preservation Act
 NMAC = New Mexico Administrative Code
 NMED = New Mexico Environment Department
 NOx = nitrogen oxides
 NORM = naturally occurring radioactive material
 NPDES = National Pollutant Discharge Elimination System
 NRC = Nuclear Regulatory Commission
 NREO = Northern Regional Environmental Office
 NREP = National Registry of Environmental Professionals
 NSP = new source performance
 NSR = new source review
 OAC = Oklahoma Administrative Code
 ODEQ = Oklahoma Department of Environmental Quality
 OE = ordnance and explosives
 OMEG = Oklahoma Military Environmental Group
 ORVR = onboard refueling vapor recovery
 OSHA = Occupational Safety and Health Administration
 OSPRA = Oil Spill Prevention and Response Act
 OSSF = on-site sewage facility
 P2 = pollution prevention
 PASS = Permit Application Software System
 PBR = permit by rule
 PBT = persistent bioaccumulative toxin
 PCB = polychlorinated biphenyl
 pCi/L = picocurie per liter
 PEMS = Predictive Emission Monitoring Systems
 P.L. = public law
 PM = particulate matter
 POC = point of contact
 POM = Program Objective Memorandum
 POTW = publicly owned treatment works
 ppb = part per billion
 ppm = part per million
 PRP = potentially responsible party
 PSD = prevention of significant deterioration
 PST = petroleum storage tank
 PSTTF = Petroleum Storage Tank Trust Fund
 PTE = potential to emit
 PWS = public water system
 RACM = reasonably available control measures
 RACT = reasonably available control technology
 RCRA = Resource Conservation and Recovery Act
 RDX = Royal Demolition eXplosive
 REC = Regional Environmental Coordinator
 RFG = reformulated gasoline
 RI = remedial investigation
 RICE = reciprocating internal combustion engine
 ROD = record of decision
 SAME = Society of American Military Engineers
 SB = Senate Bill
 SDWA = Safe Drinking Water Act
 SDWIS = Safe Drinking Water Information System
 SERDP = Strategic Environmental Research and Development Program
 SIC = Standard Industrial Classification
 SIP = State Implementation Plan

SM = Senate Measure
SPCC = Spill Prevention, Control, and Countermeasure
SQG = small quantity generator
SREO = Southern Regional Environmental Office
TAC = Texas Administrative Code
TBD = to be determined
TCEQ = Texas Commission on Environment Quality
TCM = transportation control measure
TDS = total dissolved solids
TERP = Texas Emissions Reduction Plan
TIM = Transformation of Installation Management
TMDL = total maximum daily load
TPDES = Texas Pollutant Discharge Elimination System
TRI = Toxics Release Inventory
TRI-DDS = Toxics Release Inventory – Data Delivery System
TRRP = Texas Risk Reduction Program
TSCA = Toxic Substances Control Act
tpy = tons per year
TNT = trinitrotoluene
TXEP = Texas Environmental Partnership
UIC = underground injection control
USACE = U.S. Army Corps of Engineers
USAEC = U.S. Army Environmental Center
U.S.C. = United States Code
USFWS = U.S. Fish and Wildlife Service
USGS = U.S. Geological Survey
UST = underground storage tank
UXO = unexploded ordnance
VOC = volatile organic compound
WET = whole effluent toxicity
WMM = waste military munitions
WQBEL = water quality-based effluent limit
WQMP = Water Quality Management Plan
WREO = Western Regional Environmental Office
ug/L = microgram per liter

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